PRESIDENT: I think the motion is out of order. As has been pointed out, in so far as any motion raises a question which can be dealt with by a body to whom it is addressed, it is in order. But as the rates are fixed by Government this motion should come under General Administration-Secretariat. So, the motion is out of order.

The following motions were ruled out of order :—

Motions Nos. 2 & 3.

MR. K. P. KOCHUKORA THARAKAN:

2. To reduce the allotment of Rs. 49,300 for total of 19 (h) by Re. 1.

MR. K. P. KOCHUKORA THARAKAN

3 To reduce the allotment of Rs. 49,300 for total of 19 (h) by Re. 1.

Motion No. 4.

The following motion was not moved :

MR. N. VELU ACHARI :

To reduce the allotment of Rs. 46,300 for 19 (h) Legislative Bodies by Re 1.

The motion that a sum of Rs. 46,300 be granted to Government under Demand XIII—General Administration-Legislative Bodies was put and carried.

The grant was made.

DEMAND XIV—ADMINISTRATION OF JUSTICE.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to move for the grant of a sum of Rs. 10,65,073 under Demand No. XIV—Administration of Justice.

Motion No. 1.

MR. P. NARAYANA PILLAI :

To reduce the allotment of Rs. 3,780 for travelling allowances by Re. 1.

PRESIDENT; Is this in order?

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, it depends upon what view the Chair takes. The honourable member says—

PRESIDENT: Very well. I think that the honourable member can move the motion.

MR. P. NARAYANA PILLAI: Sir, I rise to move to reduce the allotment of Rs. 3,780 for travelling allowances by Re. 1. The object of my motion is to discuss the desirability of increasing the jurisdiction of the Mavelikara Munsiff's Court.

Sir, by a revision of the territorial jurisdiction of local courts some of the pakuthies were left out of consideration in the matter of providing facilities and conveniences to the litigant public of those pakuthies. They are now forced to incur additional expenditure which they cannot afford to meet. Thus the litigant public of some pakuthies of Mavelikara are put to serious inconveniences on account of the fact that they are not included in the jurisdiction of the Mavelikara Munsiff's court. This has also the ultimate result of transferring the appellate jurisdiction of these pakuthies t the Quilon District Court. People of more than half the area of the Mavelikara taluk comprising about 6 pakuthies of the taluk have now to go to Quilon

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for the conduct of their appeal cases. Though there is a District Court at Mavelikara even the people living at a short distance from that Court are denied the benefit of the establishment of that Court. Again the re-transfer of these pakuthies from the jurisdiction of the Adoor Munsiff's Court will not prejudicially affect that Munsiff's Court. At the same time it will have the effect of giving sufficient work to the Mavelikara Munsiff's Court which is suffering for want of work. It was as a result of the repeated representations from the people of Mavelikara and the neighbouring places that the benign Government sanctioned a District Court at Mavelikara. To deny some people the benefit of that measure is very hard. Generally the jurisdiction of the Munsiff's Courts in the District Court centres are assured a heavy file but Mavelikara Munsiff's Court is an exception. Requesting that immediate arrangements should be made to include these pakuthies within the Mavelikara Munsiff's Court's jurisdiction, I commend the motion for the acceptance of the House.

MR. M. R. NARAYANA PILLAI: Sir, I support the motion. Honourable members who reside in Mavelikara do know the difficulties of the litigant public who come with representations that more pakuthies should be included within the jurisdiction of the Mavelikarai Munsiff's Court. Even the Legal Remembrancer knows of the unfair distribution of these pakuthies in this connection. With these words I strongly support the motion.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I oppose the motion. Till the constitution of the District Court at Mavelikara the Mavelikara Munsiff's Court was exercising jurisdiction over 13 pakuthies, 11 of which comprised the Mavelikara taluk and two formed part of the Tiruvalla taluk. At the time when the Law's Delays Commissioner was appointed, investigations on the possibility of making territorial readjustments were made. As a result of those investigations it was found that the work in the Mavelikara Court was rather heavy and territorial readjustments may be made. As a result of the recommendations of the Law's Delays Commissioner the Munsiff's Court at Pathanamthitta was established and certain pakuthies which were within the jurisduction of the Chengannur Munsiff's Court and the Adoor Munsiff's Court were transferred to the Pathanamthitta Munsiff's Court. And as a result of the recommendation then made by the Commissioner one pakuthy belonging to the Mavelikara taluk, *viz.*, Thonnallur pakuthy, was transferred to the Adoor Munsiff's Court. Afterwards it was found out that the Adoor Court had not sufficient work while the Mavelikara Court had to deal with a heavy file. So, certain territorial readjustments were made. Even then it was not found necessary to interfere with the territorial jurisdiction of the Mavelikara Munsiff's Court. The Law's Delays Commissioner's recommendation stopped with the transfer of Thonnallur pakuthy from the Mavelikara taluk. Under the scheme the Krishnapuram Munsiff's Court was to be retained. Subsequently, that court was abolished and the pakuthies within its jurisdiction had to be re-distributed. In fact, two of the most important pakuthies attached to that court, Krishnapuram and

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[Mr. Puthupalli S. Krishna Pillai.]

Perungala, had to be added to some court. The Perungala pakuthy belonging to the Mavelikara taluk had to be added to the Mavelikara Court. The question as to what should be done with the Krishnapuram pakuthy had to be considered. Krishnapuram is the biggest pakuthy in the Karunagapalli taluk abjoining Mavelikara

MR. P. NARAYANA PILLAI ; What is the file in the Mavelikara Munsiff's Court at present?

MR. PUTHUPALLI S. KRISHNA PILLAI: I shall supply the latest figures. Sir, it was found necessary to allocate Krishnapuram pakuthy to some court. It is really a fact that if the Krishnapuram pakuthy is added on to the Karunagapally Munsiff's Court it would mean heavy accumulation of work there. And Krishnapuram is nearer to Mavelikara than Karunagapalli. Therefore it was decided that the Mavelikara Munsiff's Court should get two of the biggest pakuthies one of them forming part of the taluk and the other adjoining it. So they were added on to the Mavelikara Munsiff's Court. Thus we find that when the Krishnapuram Munsiff's Court was abolished two more pakuthies were added on to the Mavelikara Munsiff's Court. Out of the 13 pakuthies which comprised the jurisdiction of the Mavelikara Munsiff's Court, as a result of these territorial readjustments some pakuthies had necessarily to be transferred to some other courts as I have mentioned. Otherwise work in that court would become too heavy to be handled by one court. Government were left without any choice in that matter. When the question came as to which of the pakuthies should be transferred to some other court, the choice naturally fell on the three pakuthies referred to by the honourable member, *viz.*, Tamarakulam, Noornad and Veliampuram.

MR. P. NARAYANA PILLAI: May I know the distance of the Veliampuram pakuthy from the Adoor Munsiff's Court?

MR. PUTHUPALLI S. KRISHNA PILLAI: It would not be more than 11 miles.

MR. P NARAYANA PILLAI: May I know the distance of Veliampuram from Mavelikara?

MR. PUTHUPALLI S. KRISHHA PILLAI: More or less the same. But some portion of it is nearer Mavelikara than Adoor. We cannot partition one pakuthy and give one part to Mavelikara and allot the remaining portion to Adoor. That will create practical difficulties in effecting service of processes and in the execution of decrees. As a matter of fact villages are taken as units. In this distribution we are maintaining the unity of these villages. Therefore, it was decided, Sir, that these 3 pakuthies should be transferred to the Adoor Court. I may also inform the House that the Government did not however arrive at this decision haphazardly. An experienced High Court Judge was appointed specially to go into the question. He went over to the places, studied the pendency of litigation in these courts, examined the number of cases coming from each of these pakuthies and then made, after careful consideration of these conveniences or inconveniences, that would arise if re-distribution was effected, his recommendations to the Government.

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